

Samuel T Poole

Civil Action 99-638

- V -

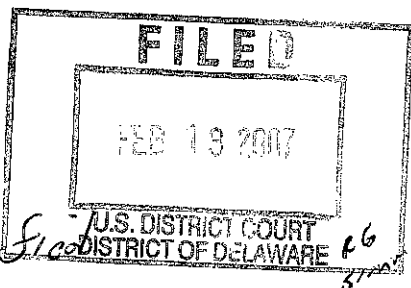
Stan Taylor
Raphel Williams

 ORIGINAL

Sue L Robinson

Notice of Appeal

Notice of Appeal is to be enter on or after 45 days •
From the Judgment I enter a motion for rule 60(B) Relief from
the Judgment of fraud enter on Dec 16, 2006 by Judge
Sue L. Robinson. move to reverse the decision of the court
because of the fraud and the Judgement being sent me 3 weeks
after the Judgment at hand



Respectfully Submitted

C.E.

Richard W. Hubbard

820 French St.

Wilmington

Pro. Sec.

19801

Samuel T Poole
1015 Culhane St
Chester PA
19013

-v-
Stan Taylor

Sue L. Robinson

Raphel Williams

Rule 60(B) relief from the Judgment base upon Fraud from the defendant counsel and misrepresentation of the discovery and the interrogatories; Fraud and Perjury was presented in the discovery and serve to me and the court Fiske V. Buder, C.C.A. 8th 1942, 125 F2d 841;

See also Buey V. Nevada Const. Co., C.C.A. 9th 1942, 125 F2d 213 on the Fraud was enter as ground for relief from Judgment, 1941, 4 Fed Ruler Serv. 942, 945; The amendment settles this problem by making Fraud an express grounds for relief by motion see Moore and Rogers. Federal Relief from Civil Judgment, 1946, 55 Yale LJ 623, 653 to 659 and Secth 3 Moore's Federal Practice, 1938, 3267 et Seq this does not limit the power of the court when Fraud has been perpetrated upon it see Hazel-Atlas glass Co. V. Hartford Empire Co. 1944, 64 S. Ct 992 US. 238, 88 L. Ed. 1250. the time limit for the relief by motion in the court and in the action in which the Judgment was rendered has been enlarged from six month to 1 year.

Because of this Perjury and interrogator was file to me by the Defendants Cite as 104 S.Ct. 2218 (1984) and the Judge Sue L. Robinson, Bier and Pregdice in this case by entering the fraud and by passing my rights of the 5th amendment and 8th amendment.

5th ~~amendment~~ ~~was~~ when the Judge abuse of discretion when she order the discovery act as my counsel is getting it fraud and the full discovery was never presented she was told 3 time and did nothing Anderson v. Heery Lobby, Inc. 477 U.S. 242, 247 (1986) Fed R. Civ. P. 56(c) Anderson, 477 U.S. at 256.

Meritorious defense, By the Judge and the defendant that was raise Hite v. Worma Corp., C.A. PA., 732 F.2d 1178 1181 the third Cir. Case and Supreme Court Case has nothing to do with this case Last injury Davis v. Grusemeyer, Cite as 996 F.2d 617 (3rd cir 1993), this deal with only the 8th amendment they use third Cir. case that has nothing to do with what was done to me on the floor but 99-634 does that is the only way they could try and use this case.

Supreme Court Case deal with illegally detain and they are the base of the Supreme Court case Nothing to do with the police maker under Fed Rule 455 Recusal of a Federal Judge this is also stated in the last motion that was file to this Court.

I am request to reverse the Judgment and Recuse
the Federal Judge the Court to order the discovery in
30 days and then request for a trial in favor of the
Plaintiff because of the Fraud and Perjury that was enter-
ed by the defendant.

Respectfully Submitted

2-4-07

Certified

C.C.

Pro Se

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Wilm, DE

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AFFIDAVIT AND PROOF OF SERVICE

NOW COMES, Samuel T. Poole, AND AFIRMS THAT HE IS THE LITIGANT IN THE AFORE CAPTIONED AND ATTACHED MATTER, THAT THE WITHIN AVERMENTS AND FACTS IN SUPPORT THEREFORE ARE TRUE AND CORRECT TO THE BEST OF HIS PERSONAL EXPERIENCE, RECALL, KNOWLEDGE AND BELIEF, UNDER PENALTY FOR PERJURY. HE FURTHER AFFIRMS AND AVERS THAT HE HAS SERVED COPIES OF THE FOREGOING AND ATTACHED DOCUMENTS BY FIRST-CLASS MAIL TO THE PARTIES LISTED BELOW, BY HAVING PLACED THEM IN THE HANDS OF PRISON AUTHORITIES FOR MAILING, AS RULED PROPERLY AND TIMELY "FILED" BY AND IN HOUSTON vs LACK, 108 s. ct 2379, at 2383 (1988).

I CERTIFY THAT THIS DOCUMENT WAS GIVEN TO PRISON OFFICIALS, FOR THE FORWARDING TO THE SAID COURT. I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT. 28 U.S.C. SEC. 1746.

Copies
Notice of Appeal
Rule 60(B)

Respectfully Submitted,

Samuel T. Poole

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WIL, Re

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U.S.M.S.
X-RAY

Clerk of Court
844 King St
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